

## **REMARKS**

This Amendment is responsive to the Final Action dated September 23, 2005.

The claim amendments included herein are merely clarifying amendments and are not meant to change the intended scope of the claims. Thus, the amendments present the rejected claims in better form for consideration on appeal, and should be entered in due course. Moreover, the amendments are manifest, requiring only a cursory review by the Examiner, thereby providing additional ground for their entry.

Claims 1-20 were pending in the application. In the Office Action, claims 1-20 were rejected. In this Amendment, claims 1, 9 and 17 were amended. Claims 1-20 thus remain for consideration.

Applicant submits that claims 1-20 are in condition for allowance and requests withdrawal of the rejections in light of the following remarks.

### **§§ 102 and 103 Rejections**

Claims 1, 2, 5 and 7 were rejected under 35 U.S.C. 102(b) as being anticipated by Foladare et al. (U.S. Pat. No. 5,732,383).

Claims 3, 4, 6, 9-14 and 16-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Foladare et al. (U.S. Pat. No. 5,732,383) in view of Yoshikawa et al. (Pub. No. 2004/0034464).

Claim 15 was rejected under 35 U.S.C. 103(a) as being unpatentable over Foladare et al. (U.S. Pat. No. 5,732,383) in view of Yoshikawa et al. (Pub. No. 2004/0034464) and further in view of Le et al. (Pub. No. 2004/0236498).

Applicant submits that the independent claims (Claims 1, 9 and 17) are patentable over Foladare, Yoshikawa and Le – taken either alone or in combination.

Applicant's invention as recited in independent claim1 is directed toward a system for providing traffic information for planning a trip. For example, independent claim 1 specifies that the system comprises cellular telephones, a base station,, a processing station and notification means. Claim 1 further specifies that notification means sends a navigation pathway package to at least one cellular telephone, the navigation pathway package including information about an upcoming traffic jam, alternate route information, maps, supporting data for visual displays, amount of time to a turn off, amount of time to a given pathway, distance to a turn-off, distance to a given pathway, directional information, surrounding landmarks and combinations thereof. (See Page 11, line 9 to page12, line 25)

Claims 9 and 17 contain similar limitations

Foladare, Yoshikawa and Le do not disclose notification means that sends a navigation pathway package to at least one cellular telephone, the navigation pathway package including information about an upcoming traffic jam, alternate route information, maps, supporting data for visual displays, amount of time to a turn off, amount of time to a given pathway, distance to a turn-off, distance to a given pathway, directional information, surrounding landmarks and combinations thereof.

Foladare discloses a traffic information estimation and reporting system. Foladare, however, does not disclose transmitting a navigation pathway package to at least one cellular telephone, the navigation pathway package including information about an upcoming traffic jam, alternate route information, maps, supporting data for visual displays, amount of time to a turn off, amount of time to a given pathway, distance to a

turn-off, distance to a given pathway, directional information, surrounding landmarks and combinations thereof.

Yoshikawa discloses a traffic information retrieval method that has a server which stores user data about users who receive traffic information by means of a device. (See Paragraph 47). Yoshikawa, however, does not teach or suggest storing data about devices that do not require traffic information. Therefore, if Yoshikawa tried to determine traffic congestion based on its stored data, the number of devices in the field would only include the user's using the retrieval system. This, in turn, would not provide a user with accurate information regarding traffic congestion.

Le does not disclose using any type of cell phone for obtaining traffic information.

Since Foladare, Yoshikawa and Le do not disclose notification means that sends a navigation pathway package to at least one cellular telephone, the navigation pathway package including information about an upcoming traffic jam, alternate route information, maps, supporting data for visual displays, amount of time to a turn off, amount of time to a given pathway, distance to a turn-off, distance to a given pathway, directional information, surrounding landmarks and combinations thereof, Applicant believes that independent claim 1, 9 and 17 are patentable over Foladare, Yoshikawa and Le – taken alone or in combination – on at least this basis.

Claims 2-8 depend on claim 1. Since claim 1 is believed to be patentable over Foladare, Yoshikawa and Le, claims 2-8 are believed to be patentable over Foladare, Yoshikawa and Le on the basis of their dependency on claim 1.

Claims 10-16 depend on claim 9. Since claim 9 is believed to be patentable over Foladare, Yoshikawa and Le, claims 10-16 are believed to be patentable over Foladare, Yoshikawa and Le on the basis of their dependency on claim 9.

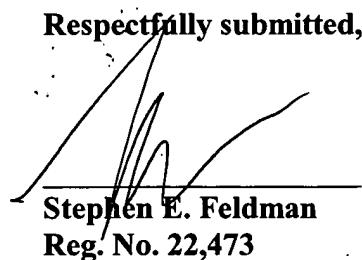
Claims 18-20 depend on claim 17. Since claim 17 is believed to be patentable over Foladare, Yoshikawa and Le, claims 18-20 are believed to be patentable over Foladare, Yoshikawa and Le on the basis of their dependency on claim 17.

**CONCLUSION**

Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 06-0515.

Respectfully submitted,  
  
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